

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI**

## **APPLICATION OF DEBTOR IN POSSESSION TO EMPLOY COUNSEL**

COMES NOW, Robert J. Ambruster, Debtor, and moves this Court, pursuant to 11 U.S.C. §§ 327(a) and 329(a), Fed. R. Bankr. P. 2014(a) and 2016(b) Local Rules 2014(A) and 2016-1 for entry of an order authorizing the retention and employment of Angela Redden-Jansen as counsel to the Debtor in this chapter 11 case, effective as of the Petition Date, and in support thereof respectfully represent as follows:

## **JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Local Rule 9.01(B)(1). This is a core proceeding pursuant to 28 U.S.C. § 157(b).  
Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

## BACKGROUND

2. On September 3, 2020 (the "Petition Date"), Ambruster filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code, codified as new 11 U.S.C. §§ 1181-1195.
3. Debtor operates as funeral home and has been in the funeral business for more than 100 years.
4. The Debtors continue to manage and operate their businesses as debtors in possession under 11 U.S.C. §§ 1107 and 1108 of the Bankruptcy Code.

## BASIS FOR RELIEF

5. Debtor has employed Angela Redden-Jansen (“Counsel”), 3350 Greenwood Blvd., Maplewood, MO 63143.
6. Debtor has selected Counsel because she is qualified to represent it as Debtor In Possession.
7. The professional services which Counsel is to render includes:
  - a) Analysis of the Debtor's financial condition and rendering advice in determining whether to file a petition in bankruptcy;
  - b) Preparation and filing of any petition, schedules, statement of financial affairs, plan, disclosure statement and all other papers which may be necessary or appropriate in the bankruptcy proceeding;
  - c) Representation of the Debtor at the meeting of creditors, the hearing and any adjourned hearings thereof;
  - d) Representation of the Debtor in adversary proceedings and other contested bankruptcy matters; and
  - e) Federal and state court lawsuits and administrative proceedings related or ancillary to the bankruptcy proceeding.
8. It is necessary for Debtor to employ an attorney to render such professional services.
9. Debtor will employ Counsel at the standard hourly of \$325.00 per hour and \$140 to \$245 per hour for paralegals. In addition to the standard hourly rates to be charged, Debtor will pay all reasonable and actual expenses incurred by Counsel in representing Debtor.
10. Debtor has paid Counsel a retainer of \$15,000.00 at the time of the filing of the Chapter 11 Petition. Debtor agrees the retainer is not intended to be a flat fee for all services to be provided to Debtor, but is to be a general retainer for the purpose of obtaining legal services and expenses provided by Counsel in connection with its Chapter 11 proceeding. If the fees and expenses of

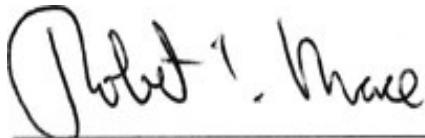
Counsel exceed the retainer, it will seek approval of the Bankruptcy Court for payment of such fees and expenses in accordance with the provisions of the United States Bankruptcy Code.

11. Counsel represents no interest adverse to the Debtor in the matters upon which it is to be engaged as attorney for Debtor.

12. The employment of Counsel as attorney for Debtor-In-Possession is in the best interests of the estate.

WHEREFORE, Debtor prays that it be authorized to retain and employ Counsel under a general retainer to represent it as Debtor In Possession in this proceeding under Chapter 11 of the United States Bankruptcy Code and for such further relief as the Court deems just.

Respectfully submitted,  
Robert J. Ambruster, Inc.



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By: Robert C. Drace, President

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**AFFIDAVIT OF PROPOSED ATTORNEY FOR DEBTOR IN POSSESSION**

Comes Now Angela Redden-Jansen, being duly sworn, deposes and says:

1. I am an attorney at law admitted to practice in the State of Missouri and before the United States District Court for the Eastern District of Missouri. I am of counsel with O’Gorman & Sandroni, P.C., with an office located at 3350 Greenwood Blvd., Maplewood, MO 63143. I am personally familiar with the matters set forth herein and make this affidavit in support of the application of Robert J. Ambruster, Inc., a Missouri corporation (“Debtor”) seeking approval to retain Angela Redden-Jansen as counsel to the Debtor.
2. To the best of my knowledge, neither I, O’Gorman & Sandroni, nor any shareholder or employee thereof, has any connection with Debtor in this Chapter 11, its shareholders, its creditors, or any other party in interest, or their respective attorneys and accountants, which would conflict with the scope of my employment or which would create any interest adverse to the Debtor, its estate or its creditors in this case.
3. Neither I nor any attorney or employee of O’Gorman & Sandroni, P.C, represents any interest adverse to that of the estate in the matters upon which I am to be engaged, and I believe O’Gorman & Sandroni, PC to be a “disinterested person” within the meaning of 11 U.S.C. § 101(14).
4. Debtor has been advised of my willingness to serve as its counsel and to receive compensation and reimbursement in accordance with my standard billing practices (or such other basis as the Court may approve consistent with the provisions of the Bankruptcy Code and Rules) for services rendered and expenses incurred on behalf of

Debtor and its affiliated companies, in accordance with the provisions of 11 U.S.C. §§ 328, 330 and 331.

5. My hourly rate is \$325.00 per hour. These rates are the same as the hourly rates and are competitive with those charged by other attorneys and law firms in St. Louis for services comparable to those to be provided.

6. I represent that neither I nor O'Gorman & Sandroni, P.C. does not and will not, while employed by Debtor, represent any other entity having an adverse interest in connection with this case.

7. I have read Debtor's application for an order approving the retention of myself as counsel for Debtor which accompanies this affidavit and, to the best of my knowledge, information and belief, the contents of said application are true and correct.

Pursuant to 28 U.S.C. § 1746 I hereby certify, under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief

*/s/ Angela Redden-Jansen*  
Angela Redden-Jansen